

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Layzell, <i>et al.</i>) Confirmation No: 3400
) Group Art Unit: 2176
Serial No.: 10/652,787)
) Examiner: Nguyen, Chau T.
Filed: August 29, 2003)
) Atty. Docket No.: 200208258-2
For: Page Composition)

REPLY BRIEF RESPONSIVE TO EXAMINER'S ANSWER

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner's Answer mailed March 14, 2007 has been carefully considered. In response thereto, please consider the following remarks.

AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 08-2025.

REMARKS

The Examiner has provided in the Examiner's Answer various responses to arguments contained in Applicant's Appeal Brief. Although the Examiner's Answer has added some additional remarks in response to Applicant's arguments, the substance of the rejections and the Examiner's positions have not changed. Accordingly, Applicant stands behind the arguments set forth in the Appeal Brief. In addition, Applicant addresses selected responses in the following.

With regard to the proposed combination of *Geigel* and *Wong*, *Wong* teaches a design method for VLSI circuit layout. *Geigel*, on the other hand, provides no suggestion for adopting or incorporating approaches used in VLSI design, as taught in *Wong*, with the systems and methods being used in *Geigel*.

For example, *Geigel* states that the "present invention employs a novel approach to page layout by employing genetic algorithms, which are a class of adaptive methods that can be used to solve search and optimization problems involving large search spaces." Paragraph 00023. "An impetus to using genetic algorithms for page layout came from an application for creating artistic textures. This source was Karl Sims who uses genetic algorithms for creating 2D textures as articulated in the reference; *Karl Sims, "Artificial Evolution for Computer Graphics", Proceedings of SIGGRAPH '91, pp 319-328*, the contents of which are hereby incorporated by reference thereto. The motivations behind this work were mostly artistic whereby the artist directly determined the fitness of each solution by visual inspection. The system allowed for random exploration of the texture space with solutions converging based on the likes and dislikes of the artist." Paragraph 0028.

Geigel further explains that “[p]age layout has been found to more of an artistic task than a mechanical one. Genetic algorithms are appropriate for such artistic tasks since, unlike other more brute force algorithms, the genetic algorithm does not attempt to mimic or model any particular process by which solutions are created. Instead, solutions are generated randomly and are evaluated after the fact. This is analogous to the way creative scrapbookers approach the layout problem. While scrapbookers can’t usually explain the process by which they generated the page layouts, they certainly know a good layout when they see one.” Paragraph 0029. *Wong*, on the other hand, is a disclosure involving VLSI circuit layout using simulated annealing. It is not apparent as to why a person of ordinary skill in the art in scrapbook design would look to *Wong* and the area of circuit design to find a solution to a scrapbook problem. This is one deficiency, among others, of the proposed combination.

Additionally, *Geigel* teaches an alternative approach to selecting image placement and provides no suggestion for using a slicing structure arrangement. Also, *Geigel* discloses outputting image placement parameters that meet a desired threshold and does not suggest finding an arrangement having a minimized total cost by means of an iterative process. Therefore, it is not obvious to utilize a slicing structure arrangement from the field of integrated circuit design in methods and systems related to composing a page of a document in the manner claimed. Moreover, *Geigel* does not contemplate work outside the field of document design (or even the narrower field of image organization) such that the proposed combination with *Wong* can be considered obvious. It is noted that VLSI design as

described by *Wong* is sufficiently different from document design, and therefore, the proposed combination of *Geigel* and *Wong* is improper and not obvious.

The above remarks are applicable to the pending claims 1-36. For at least these reasons and the reasons earlier presented in the Appeal Brief, the cited references of *Geigel* in view of *Wong* is deficient in disclosing claimed features, and the arguments set forth in the Appeal Brief still stand. The rejection of the pending claims should be withdrawn.

Conclusion

In summary, it is Applicant's position that Applicant's claims are patentable over the applied cited art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicant's pending claims.

Respectfully submitted,

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